

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9-2-10

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MMC ENERGY, INC.,

Plaintiff,

vs.

08 Civ. 4353 (DAB)(JLC)

KARL W. MILLER,

Defendant.
-----X

**CONSENT ORDER OF
SETTLEMENT AND DISMISSAL WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the parties, and it is SO ORDERED by the Court, pursuant to Rule 41 of the Federal Rules of Civil Procedure, and in accordance with the confidential Settlement Agreement and Release between MMC Energy, Inc., George Rountree, III, Senator Richard H. Bryan, Michael J. Hamilton, Sylvia Rountree, Karl W. Miller and Ashley Hearne Miller, dated August 18, 2010 (the "Settlement Agreement"), that:

1. The above-captioned case, and any and all claims asserted therein, is hereby dismissed with prejudice, with each party to bear their own costs, expenses, disbursements and attorneys' fees.
2. The parties agree to fully comply with the Settlement Agreement.
3. The parties agree that any violation of the terms of the Settlement Agreement or this Order shall be punishable by contempt, among other remedies available to the Court and the non-breaching parties, and that service on the undersigned counsel of record for the parties by hand delivery or overnight mail of any filing in connection with this matter, including without

limitation, an application in connection with an alleged violation of the Settlement Agreement or this Order, shall be deemed good and sufficient service of same.

4. This Court shall retain jurisdiction over the parties for purposes of enforcing the Settlement Agreement and this Order.

5. The parties to the Settlement Agreement voluntarily consent to the entry of this Order by their signatures below.

Dated: New York, New York
August 27, 2010

MARK D. JOHNSON, P.A.

KASOWITZ, BENSON, TORRES
& FRIEDMAN LLP

By: 

Mark D. Johnson
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By: _____

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(772) 223-7700
Attorneys for Defendant

1633 Broadway
New York, NY 10019
(212) 506-1700
Attorneys for Plaintiff

limitation, an application in connection with an alleged violation of the Settlement Agreement or this Order, shall be deemed good and sufficient service of same.

4. This Court shall retain jurisdiction over the parties for purposes of enforcing the Settlement Agreement and this Order.

5. The parties to the Settlement Agreement voluntarily consent to the entry of this Order by their signatures below.


Dated: New York, New York
August 20, 2010

MARK D. JOHNSON, P.A.

By: _____
Mark D. Johnson
MarkDJohnsonPA@bellsouth.net

10 Central Parkway, Suite 210
Stuart, Florida 34994
(772) 223-7700
Attorneys for Defendant

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1633 Broadway
New York, NY 10019
(212) 506-1700
Attorneys for Plaintiff

SO ORDERED


DEBORAH A. BATTS 9/2/10
UNITED STATES DISTRICT JUDGE

Sworn to and subscribed
before me this
19 day of Aug. 2010

Denise D. Skettini
DENISE D. SKETTINI
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 9/26/2012
License # 2292271

MMC Energy, Inc.

Dated: August 19, 2010

By: *Michael J. Hamilton*
Michael J. Hamilton
Chief Executive Officer

Dated: August _____, 2010

Karl W. Miller

Dated: August _____, 2010

Ashley Hearne Miller

Dated: August 19, 2010

Michael J. Hamilton
Michael J. Hamilton

Dated: August _____, 2010

Senator Richard H. Bryan

Dated: August _____, 2010

George Rountree, III

Dated: August _____, 2010

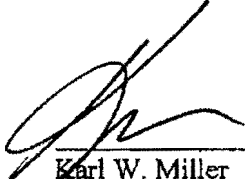
Sylvia H. Rountree

MMC Energy, Inc.

Dated: August_____, 2010

By: _____
Michael J. Hamilton
Chief Executive Officer

Dated: August 23, 2010


Karl W. Miller

Dated: August 23, 2010


Ashley Hearne Miller

Dated: August_____, 2010

Michael J. Hamilton

Dated: August_____, 2010

Senator Richard H. Bryan

Dated: August_____, 2010

George Rountree, III

Dated: August_____, 2010

Sylvia H. Rountree

MMC Energy, Inc.

Dated: August_____, 2010

By: _____
Michael J. Hamilton
Chief Executive Officer

Dated: August_____, 2010

Karl W. Miller

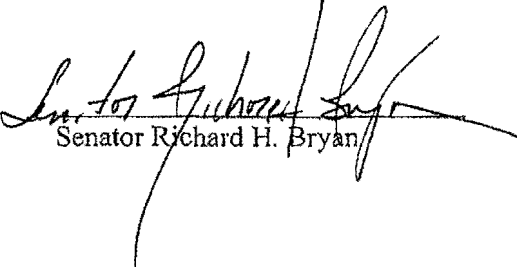
Dated: August_____, 2010

Ashley Hearne Miller

Dated: August_____, 2010

Michael J. Hamilton

Dated: August 19th, 2010


Senator Richard H. Bryan

Dated: August_____, 2010

George Rountree, III

Dated: August_____, 2010

Sylvia H. Rountree

MMC Energy, Inc.

Dated: August_____, 2010

By: _____
Michael J. Hamilton
Chief Executive Officer

Dated: August_____, 2010

Karl W. Miller

Dated: August_____, 2010

Ashley Hearne Miller

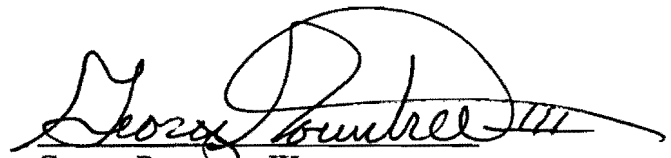
Dated: August_____, 2010

Michael J. Hamilton

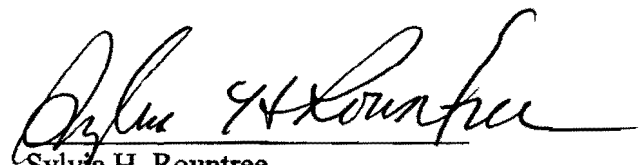
Dated: August_____, 2010

Senator Richard H. Bryan

Dated: August 20, 2010


George Rountree, III

Dated: August 20, 2010


Sylvia H. Rountree